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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES and STATE OF
CALIFORNIA *ex rel.* DAVE HEGARTY and
TRACY FOGELSON,

Plaintiffs,

v.

QUALITY BUILT, LLC, a Delaware Limited
Liability Company; DUCTTESTERS, INC., a
California corporation; GALLANT CAPITAL
PARTNERS, LLC, a Delaware Limited
Liability Company; JOHN GILLETT, an
individual; ANTHONY GUAGLIANO, an
individual,

Defendants.

CASE NO. 2:22-CV-826 JAM KJN

ORDER RE: THE NOTICE OF ELECTION TO
DECLINE INTERVENTION BY THE UNITED
STATES AND THE STATE OF CALIFORNIA

The United States and the State of California (“California”) having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the California False Claims Act, Cal. Gov’t Code § 12652(c)(6)(B), the Court rules as follows:

IT IS HEREBY ORDERED that,

1. The relators’ complaint, the Summons, the Notice of Election to Decline Intervention, and this Order be unsealed and served upon the defendants by the relators;

2. All other contents of the Court’s file in this action shall remain under seal and not be made public or served upon the defendants;

1 3. The seal shall be lifted as to all other matters occurring in this action after the date of this
2 Order;

3 4. The parties shall serve all pleadings and motions (including supporting memoranda), orders
4 and notices of appeal filed in this action upon the United States and California, as provided for in 31
5 U.S.C. § 3730(c)(3) and Cal. Gov't Code § 12652(f)(1). The United States and California may order any
6 deposition transcripts and are entitled to intervene in this action, upon a proper showing, at any time;
7 and

8 5. Should the relators or the defendants propose that this action be dismissed, settled, or
9 otherwise discontinued, the Court will provide the United States and California with notice and an
10 opportunity to be heard before ruling or granting its approval, in accordance with 31 U.S.C. § 3730(b)(1)
11 and Cal. Gov't Code § 12652(c)(1).

12 IT IS SO ORDERED.

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15 DATED: September 19, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE